HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION No.24078 of 2002

Dated: 20.07.2007

Between:

Polimati Rama Rao.
And another.

... Petitioners

AND

The Superintending Engineer,
R&B Circle, Kakinada.
and another.

... Respondents

THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION No.24078 of 2002

ORDER:-

This writ petition is filed for a writ of mandamus to declare the action of the respondents in insisting payment of EMD, production of solvency certificate in respect of tender notice No.6/HD/2002-2003 dated 18.11.2002 in spite of the Government Orders exempting the SCs and STs from payment of EMD., and also the action in not reserving 15% of the civil works for SC/STs as per Government orders in respect of tender Notice No.6/HD/2002-2003 dated 18.11.2002 issued by the first respondent and tender notice Nos.28/2002-03, 29/2002-03, 30/2002-03, 32/2002-03, dated 11.11.2002, No.33/2002-03 dated 20.11.2002 and also 05/APUSP/Raj/2002-2003, dated 8.11.2002 issued by the second respondent as illegal and arbitrary.

None appeared for the petitioners. Learned Assistant Government Pleader for Transport, Roads and Buildings appears for the respondents.

It is submitted by the learned Assistant Government Pleader that neither of the petitioners had filed their tenders and that therefore, the grievance of the petitioners is wholly illusory.

The writ petition is therefore liable to the dismissed on this ground. Even otherwise the writ petition deserves to be dismissed on the ground that on 9.12.2002 this Court granted interim direction to consider the exemption of EMD in accordance with the orders of the Government in G.O.Ms.No.52, dated 18.3.2000. In view of this direction given by this Court, the cause in the writ petition no longer survives for consideration. On both these grounds the writ petition is liable to be dismissed. Ordered accordingly.

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C.V.NAGARJUNA REDDY,J

Date:20.07.2007
mdaa